

IN THE UNITED STATES DISTRICT COURT

DAVID DANIEL CRUZ

 \mathcal{S}

V.

§

CIVIL ACTION NO. 5:12cv86

SHIRLEY ARCHIE, ET AL.

§

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION

OF THE UNITED STATES MAGISTRATE JUDGE

AND ENTERING FINAL JUDGMENT

The Plaintiff David Cruz, proceeding *pro se*, filed this civil rights lawsuit under 42 U.S.C.

Cruz complained of an incident in which he was given an incorrect medication, which

After review of the pleadings and the summary judgment evidence, the Magistrate Judge

legal conclusions accepted and adopted by the district court. Douglass v. United Services Automobile Association, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*).

The Court has reviewed the pleadings and summary judgment evidence in this cause and the Report of the Magistrate Judge. Upon such review, the Court has determined that the Report of the Magistrate Judge is correct. See United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law."). It is accordingly


ORDERED that the Report of the Magistrate Judge (docket no. 28) is hereby ADOPTED as the opinion of the District Court. It is further

ORDERED that the Defendants' motion for summary judgment (docket no. 24) is GRANTED and the above-styled civil action be and hereby is DISMISSED with prejudice. Finally, it is

ORDERED that any and all motions which may be pending in this action are hereby DENIED.

It is SO ORDERED.

SIGNED this 11th day of July, 2013.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE